

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

Daniel Scott Thomas, Elector for the State of California, who is nominated to vote in the Electoral College and is pledged to vote for Candidate Alan Keyes for President of the United States; Carl Bibeau, Teresa Bibeau, Ronald M. Hack, Stefany M. Hack, Jason Paulos, Gregory Poulos, Karen Poulos, Keith Poulos, Patricia J. Donahue, Michelle Tennison, Dr. Alan Keyes, Electors of the State of Florida, all of whom are nominated to vote in the Electoral College and are pledged to vote for Candidate Alan Keyes for President of the United States; Gerald L. Coffee, Elector for the State of Hawaii, who is nominated to vote in the Electoral College and is pledged to vote for Candidate John McCain for President of the United States; Geketa Holman, Elector for the Commonwealth of Kentucky, who is nominated to vote in the Electoral College and is pledged to vote for Candidate Alan Keyes for President of the United States; Alan T. Seabaugh, Elector for the State of Louisiana, who is nominated to vote in the Electoral College and is pledged to vote for Candidate John McCain for President of the United States; Joseph Mantegna, Arthur H. Hady, Brian Paul Weese, John H. Bane, Tim Phares, Bob Bailey and Steven B. Schulin, Electors of the State of Maryland, all of whom are nominated to vote in the Electoral College and are pledged to vote for Candidate Alan Keyes for President of the United States; Patrick Flynn, Elector for the State of Michigan, who is nominated to vote in the Electoral College and is pledged to vote for Candidate Alan Keyes for President of the United States; Tim Delrie, Leslie Riley and Vince Thornton, Electors of the State of Mississippi, all of whom are nominated to vote in the Electoral College and are pledged to vote for Candidate Chuck Baldwin for President of the United States; Christiane Schmenk and Joyce Houck, Electors of the State of Ohio, all of whom are nominated to vote in the Electoral College and are pledged to vote for Candidate John McCain for President of the United States; Virginia Chrisco, Elector for the State of Oklahoma, who is nominated to vote in the Electoral College and is pledged to vote for Candidate John McCain for President of the United States; Marvin Sprouse, Jr., Elector for the State of Texas, who is nominated to vote in the Electoral College and is pledged to vote for Candidate Alan Keyes for President of the United States; John Doe(s) and Jane Does(s), Electors of the various states nominated to vote in the Electoral College for Candidates for President and Vice-President of the United States, John Doe(s) and Jane Doe(s), Congressmen and Congresswomen in the United States House of Representatives,

PLAINTIFF(s),

v.

Delbert Hoseman, in his official capacity as Secretary of State for the State of Mississippi,

DEFENDANT(s).

PLAINTIFF'S RESPONSE
TO ORDER TO SHOW
CAUSE

Civil Action No. 2:08CV241-
KS-MTP

PLAINTIFF'S RESPONSE TO ORDER TO SHOW CAUSE

Comes now the Plaintiffs to respond to the *Sua Sponte* Order to Show Cause of the Federal Magistrate Dated November 18, 2008 to change venue to the Jackson division pursuant to 28 U.S.C. §1404(a) as follows:

1. PLAINTIFF electors brought this action before November 4, 2008 with the single purpose of affirming their duty to vote "in accordance with the Constitution" and initiating the discovery to enable that duty to be discharged. Since the election, some PLAINTIFF electors, who won in their states, still have the need for that information to cast their vote on December 15 in the electoral college, and some, who are defeated electors and Presidential candidates have a right to file contests in their respective states that must be completed by December 9, 2008.
2. As more fully set forth in the Memorandum of Law filed with this Court on November 12, 2008, a number of lawsuits in various states have affirmed that no agency of the federal government or of any state is vested with the responsibility to obtain evidence that the candidates for President and Vice-President of the United States meet the "Natural Born" requirements of Article II of the Constitution of the United States. The evidence submitted with the Memorandum of Law sets forth compelling questions about whether the two major candidates met this requirement, and that it cannot be obtained by the PLAINTIFFS without a remedial order from this Court.
3. After some research revealed that some dockets in the Jackson division were clogged in a manner that could have caused delay, PLAINTIFFS believed that the Southern District would be the best forum in which to obtain the expedited discovery necessary in such a short period of time imposed by law. Although changing venue at this time could be more convenient for counsel for PLAINTIFFS and DEFENDANTS, the additional delay of doing so would defeat any prospect of obtaining the evidence needed by PLAINTIFFS within the time frames required and effect a denial of their due process rights to obtain that evidence. Consequently, a change in venue to the Jackson division cannot be made "in the interests of Justice," - an essential requirement of 28 U.S.C. §1404(a).

For the aforementioned reasons, PLAINTIFFS respectfully request that the Court exercise its discretion to retain venue in the Southern District.

/s/ James D. Bell
James D. Bell
Attorney for Plaintiffs
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318 South State Street
Jackson, MS 39201
Phone: 601-981-9221

CERTIFICATE OF SERVICE

I, James D. Bell, do hereby certify that I have caused to be mailed, via United States mail,

and faxed a true and correct copy of the foregoing instrument to:

Attorney General Jim Hood
Walter Sillers Building
550 High Street, Suite 1200
Jackson, Mississippi 39201
Facsimile: (601) 359-5025

SO CERTIFIED, this, the 21st day of November, 2008.

/s/ James D. Bell
JAMES D. BELL